

Dated April 14, 1995.

**K.P. McMahon,**

*CDR, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty).*

[FR Doc. 95-11198 Filed 5-5-95; 8:45 am]

BILLING CODE 3810-AE-P

### 32 CFR Part 706

#### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

**AGENCY:** Department of the Navy, DOD.  
**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS RAMAGE (DDG 61) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval destroyer. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** February 7, 1995.

**FOR FURTHER INFORMATION CONTACT:** Commander K.P. McMahon, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400. Telephone number: (703) 325-9744.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C.

1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS RAMAGE (DDG 61) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the following specific provisions of 72 COLREGS without interfering with its special function as a naval destroyer: Annex I, paragraph 3(a) pertaining to the location of the forward masthead light in the forward quarter of the vessel, and the horizontal distance between the forward and after masthead lights; Annex I, paragraph 2(f)(i) pertaining to placement of the masthead light or lights above and clear of all other lights and obstructions; Annex I, paragraph 3(c) pertaining to placement of task lights not less than 2 meters from the fore and aft centerline of the ship in the athwartship direction. The Deputy Assistant Judge Advocate General (Admiralty) of the Navy has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine Safety, Navigation (Water), and Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

#### PART 706—[AMENDED]

1. The authority citation for 32 CFR Part 706 continues to read:

**Authority:** 33 U.S.C. 1605.

#### § 706.2 [Amended]

2. Table Four of § 706.2 is amended by:

a. Adding the following entry to Paragraph 15:

Vessel	No.	Horizontal distance from the fore and aft centerline of the vessel in the athwartship direction
* * *	* * *	* * *
USS RAMAGE.	DDG 61	1.91 meters.

b. Adding the following entry to Paragraph 16:

Vessel	No.	Obstruction angle relative ship's headings
* * *	* * *	* * *
USS RAMAGE	DDG 61	103.66 thru 112.50°.

3. Table Five of § 706.2 is amended by adding the following entry:

TABLE FIVE

Vessel	No.	Masthead lights not over all other lights and obstructions, annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship, annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward masthead light, annex I, sec. 3(a)	Percentage horizontal separation attained
* * *	* * *	* * *	* * *	* * *	* * *
USS RAMAGE .....	DDG 61	X	X	X	20

Dated: February 7, 1995.

**K.P. McMahon,**

*CDR, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty).*

[FR Doc. 95-11200 Filed 5-5-95; 8:45 am]

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### 32 CFR Part 706

#### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

**AGENCY:** Department of the Navy, DOD.  
**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS TUCSON (SSN 770) is a vessel of the Navy which, due

to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval submarine. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** March 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Commander K.P. McMahon, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400. Telephone number: (703) 325-9744.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS TUCSON (SSN 770) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with the following specific provisions of 72 COLREGS without interfering with its special function as a naval submarine: Rule 21(c), pertaining to the arc of visibility of the sternlight; Annex I, section 2(a)(i), pertaining to the

height of the masthead light; Annex I, section 2(k), pertaining to the height and relative positions of the anchor lights; and Annex I, section 3(b), pertaining to the location of the sidelights. The Deputy Assistant Judge Advocate General (Admiralty) at the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Notice is also provided that USS TUCSON (SSN 770) is a member of the SSN 688 class of vessels for which certain exemptions, pursuant to 72 COLREGS, Rule 38, have been previously authorized by the Secretary of the Navy. The exemptions pertaining to that class, found in the existing table of section 706.3, are equally applicable to USS TUCSON (SSN 770).

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

**List of Subjects in 32 CFR Part 706**

Marine safety, Navigation (Water), and Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

**PART 706—[AMENDED]**

1. The authority citation for 32 CFR Part 706 continues to read:

**Authority:** 33 U.S.C. 1605.

**§ 706.2 [Amended]**

2. Table One of § 706.2 is amended by adding the following vessel:

TABLE ONE				
Vessel	No.	Distance in meters of forward masthead light below minimum required height. § 2(a)(i) annex I		
USS TUCSON .....	SSN-770	*	*	3.5

3. Table Three of § 706.2 is amended by adding the following vessel:

TABLE 3								
Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights distance in-board of ship's sides in meters 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2(K) annex 1	Anchor lights relation-ship of aft light to forward light in meters 2(K) annex 1
USS TUCSON .....	SSN-770	*	*	*	*	*	*	*
USS TUCSON .....	SSN-770	.....	.....	209	4.4	6.1	3.4	1.7 below.

Dated: March 30, 1995.  
**K.P. McMahon,**  
*CDR, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty).*  
[FR Doc. 95-11203 Filed 5-5-95; 8:45 am]  
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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[NC-60-1-6736a; FRL-5198-1]

**Approval and Promulgation of Implementation Plans, North Carolina: Title V, Section 507, Small Business Stationary Source Technical and Environmental Compliance Assistance Program**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is approving revisions to the State Implementation Plan (SIP) submitted by the State of North Carolina

through the North Carolina Department of Environment, Health and Natural Resources for the purpose of establishing a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM), which will be fully implemented by November 15, 1994. This implementation plan was submitted by the State on July 10, 1992, to satisfy the federal mandate to ensure that small businesses have access to the technical assistance and regulatory information necessary to comply with the Clean Air Act as amended in 1990 (CAA).

**DATES:** This action will be effective July 7, 1995 unless notice is received June 7, 1995 that someone wishes to submit adverse or critical comments. If the